

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Kiyoshi ANDO et al.	)	
	)	
Application No.: 10/510,627	)	Group Art Unit: 1644
	)	
§ 371 Filing Date: June 20, 2005	)	Examiner: Michail A. BELYAVSKYI
	)	
International Filing Date: April 9, 2003	)	Confirmation No.: 4183
	)	
For: METHOD OF JUDGING LEUKEMIA,	)	
PRE-LEUKEMIA OR ALEUKEMIC	)	
MALIGNANT BLOOD DISEASE AND	)	
DIAGNOSTIC THEREFOR	)	

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO OFFICE ACTION (RESTRICTION REQUIREMENT)**

Applicants now respond to the Office Action (Restriction Requirement) mailed May 1, 2007 ("Action"). The Office required restriction to one of the following groups of claims under 35 U.S.C. § 121:

- Group I: Claims 1 and 6-10, allegedly "drawn to a method of diagnosing leukemia, classified in Class 435, subclass 7.1."
- Group II: Claims 2 and 6-10, allegedly "drawn to a method for discriminating leukemia from pre-leukemia or aleukemic malignant blood disease, classified in Class 435, subclass 7.1."
- Group III: Claims 3 and 6-10, allegedly "drawn to a method for discriminating aplastic anemia from SCGP, classified in Class 435, subclass 7.1."

- Group IV: Claims 4 and 6-10, allegedly "drawn to a method for diagnosing the engraftment state of the hematopoietic stem cells after transplantation, classified in Class 435, subclass 7.1."
- Group V: Claims 5 and 6-10, allegedly "drawn to a method of diagnosing GVHD, classified in Class 435, subclass 7.1."
- Group VI: Claims 11-15 and 18-20, allegedly "drawn to diagnostic agent for leukemia, comprising antibody reacting with SCGF, and hybridoma which produced monoclonal antibody, classified in Class 530, subclass 387.9 and 388.1, class 435 subclass 346."
- Group VII: Claims 16 and 17, allegedly "drawn to a diagnostic kit, classified in Class 435, subclass 810."

Action at page 2. Applicants elect Group I (claims 1 and 6-10).

Applicants expressly reserve the right to pursue the subject matter of the non-elected claims in one or more divisional applications.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Date: May 31, 2007

By: 

Jennifer L. Davis

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